

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

RONALD E. ROUSSEAU,

Petitioner,

vs.

**MARGARET EGAN-BAD WARRIOR*, IN
HER OFFICIAL CAPACITY AS CRST
JUDGE; AND KIMBERLY CRAVEN, IN
HER OFFICIAL CAPACITY AS CRST
ATTORNEY GENERAL;**

Respondents.

3:25-CV-03005-RAL

**ORDER DIRECTING
SERVICE AND RESPONSE**

Petitioner, Ronald Rousseau, seeks habeas corpus relief under 25 U.S.C. § 1303.

Having reviewed the petition, it does not “plainly appear[] . . . that the petitioner is not entitled to relief”¹ as it applies exclusively to his seeking relief under the Indian Civil Rights Act.² But to be clear, the Court still is cognizant of Rousseau’s ongoing direct appeal with the Cheyenne River Sioux Tribal Court of Appeals and the importance of

* Judge Margaret Egan-Bad Warrior has noted that her proper name is Margaret Egan. Docket No. 26, at 1 n.1; Docket No. 29, at 1 n.1. Her name will be corrected in the text of this order and will be updated in future court filings.

¹ Rule 4, Rules Governing § 2254 Cases (setting standard for preliminary review); *see also* Rule 1(b), Rules Governing § 2254 Cases (making rules governing 28 U.S.C. § 2254 cases applicable to other types of habeas corpus petitions).

² Docket No. 21.

tribal exhaustion.³ Though it had delayed service upon Respondents in the past because of the pending appeal and its potential for limiting and refining the scope of Rousseau's surviving § 1303 petition,⁴ upon reflection, leaving this case stalled appears less desirable than moving it forward.

It is therefore

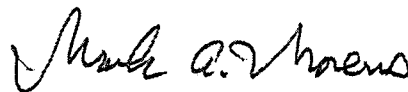
ORDERED that the Clerk of Court serve a copy of the enumerated docket entries⁵ and this order on Respondents Egan and Craven. It is further

ORDERED that Respondents have 30 days after service of the pleadings to respond to the second amended petition.⁶

ORDERED that the clerk's office correct Respondent Margaret Egan's name for future court filings.

DATED this 22nd day of May, 2025.

BY THE COURT:



MARK A. MORENO
UNITED STATES MAGISTRATE JUDGE

³ See Docket No. 19, at 9–13.

⁴ See *id.* at 13–14.

⁵ Docket Nos. 1, 2, and 3 with all attachments (original petition for writ of habeas corpus); Docket No. 9-1 (operative petition); Docket Nos. 12, 14 (R&R and Order transferring case to South Dakota); Docket No. 19 (first preliminary review of petition); Docket No. 21 (R&R recommending dismissal of non-habeas claims); Docket No. 23 (Petitioner's objections re: Doc. 21); Docket No. 26 (Judge Egan's response to the Court's request for update on tribal appeal progress re: Doc. 19); Docket No. 27 and attachment (Petitioner's response re: Doc. 26); Docket No. 28 (Order adopting R&R re: Doc. 21); Docket No. 29 and attachment (supplemental response re: Doc. 26).

⁶ Docket No. 9-1.